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IN THE

Supreme Court of the United States

OCTOBER TERM, 1962

No. 15 Original

STATE OF ALABAMA, by and through George C. Wallace, as its Governor, and GEORGE C. WALLACE in his capacity as Governor of the State of Alabama, *Plaintiffs*,

v.

UNITED STATES OF AMERICA and ROBERT S. MCNAMARA, individually and as Secretary of Defense of the United States of America, *Defendants*.

NOTICE OF AMENDMENT TO COMPLAINT

Pursuant to Rule 9(2) of the Rules of this Court and Rule 15(a) of the referenced Federal Rules of Civil Procedure, Plaintiffs amend their complaint herein by adding to paragraph 4 thereof the following:

> Plaintiffs further aver that the continued presence of the said members of the Armed Forces in and near the City of Birmingham as aforesaid for the purposes so announced, has incited and will continue to incite the demonstrators and rioters to continued violence for so long as such troops remain and has obstructed and continues to obstruct the law enforcement authorities of the City of Birmingham, the County of Jefferson and the State of Alabama from restoring order and remitting the demonstrators to the lawful assertion of their claims through the legislative and judicial agencies of the government of the State of Alabama or of the United States.

Respectfully submitted,

/s/ JOHN P. KOHN
John P. Kohn
Of Counsel for Plaintiffs.

May 23, 1963